

Attorney's Docket No. 498-67

## COMBINED DECLARATION AND POWER OF ATTORNEY

(ORIGINAL, DESIGN, NATIONAL STAGE OF PCT, SUPPLEMENTAL,  
DIVISIONAL, CONTINUATION OR CIP)

As a below named inventor, I hereby declare that:

## TYPE OF DECLARATION

This declaration is of the following type: (check one applicable item below)

original  
 design  
 supplemental

NOTE: If the declaration is for an International Application being filed as a divisional, continuation or continuation-in-part application do not check next item; check appropriate one of last three items.

national stage PCT

NOTE: If one of the following 3 items apply then complete and also attach ADDED PAGES FOR DIVISIONAL, CONTINUATION OR CIP.

divisional  
 continuation  
 continuation-in-part (CIP)

## INVENTORSHIP IDENTIFICATION

WARNING: If the inventors are each not the inventors of all the claims an explanation of the facts, including the ownership of all the claims at the time the last claimed invention was made, should be submitted.

My residence, post office address and citizenship are as stated below next to my name, I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

## TITLE OF INVENTION

HIGH STRENGTH AND HIGH DENSITY INTRALUMINAL WIRE STENT

## SPECIFICATION IDENTIFICATION

the specification of which: (complete (a), (b) or (c))

(a)  is attached hereto.  
(b)  was filed on \_\_\_\_\_ as  Serial No.  
0 / \_\_\_\_\_ or  Express Mail No., as Serial No. not  
yet known \_\_\_\_\_ and was amended on \_\_\_\_\_  
(if applicable).

NOTE: Amendments filed after the original papers are deposited with the PTO which contain new matter are not accorded a filing date by being referred to in the declaration. Accordingly, the amendments involved are those filed with the application papers or, in the case of a supplemental declaration, are those amendments claiming matter not encompassed in the original statement of invention or claims. See 37 C.F.R. 1.67.

(c) [ ] was described and claimed in PCT International Application No. \_\_\_\_\_ filed on \_\_\_\_\_ and as amended under PCT Article 16 on \_\_\_\_\_ (if any).

#### ACKNOWLEDGEMENT OF REVIEW OF PAPERS AND DUTY OF CANDOR

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a).  
[ ] In compliance with this duty there is attached an information disclosure statement. 37 C.F.R. 1.97.

#### PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate or of any PCT international application(s) designating at least one country other than the United States of America listed below and have also identified below any foreign application(s) for patent or inventor's certificate or any PCT international application(s) designating at least one country other than the United States of America filed by me on the same subject matter having a filing date before that of the application(s) of which priority is claimed.

(complete (d) or (e))

(d) [x] no such applications have been filed.

(e) [ ] such applications have been filed as follows.

NOTE: Where item (c) is entered above and the International Application which designated the U.S. claimed priority check item (e), enter the details below and make the priority claim.

#### EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITH 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

COUNTRY	APPLICATION NO.	DATE OF FILING (day, month, year)	PRIORITY CLAIMED UNDER 37 USC 119
			[ ] YES [ ] NO
			[ ] YES [ ] NO
			[ ] YES [ ] NO
			[ ] YES [ ] NO
			[ ] YES [ ] NO
			[ ] YES [ ] NO

#### ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS (6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

POWER OF ATTORNEY

As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the Patent and Trademark Office connected therewith. (List name and registration number)

Charles R. Hoffmann, Reg. No. 24,102; Ronald J. Baron, Reg. No. 29,281; Gerald T. Bodner, Reg. No. 30,449; Alan M. Sack, Reg. No. 31,874; A. Thomas Kammer, Reg. No. 28,226; Arlene D. Morris, Reg. No. 32,657; Robert P. Michal, Reg. No. 35,614; R. Glenn Schroeder, Reg. No. 34,720; Glenn T. Henneberger, Reg. No. 36,074; Louise A. Fouch, Reg. No. 37,133; Livia Boyadjian, Reg. No. 34,781; John F. Vodopia, Reg. No. 36,299; Sean W. O'Dea, Reg. No. 37,690; Lindsay S. Adams, Reg. No. 36,425 and James A. Eiserman, Reg. No. 16,489, each of them of HOFFMANN & BARON, 350 Jericho Turnpike, Jericho, New York 11753; and Daniel A. Scola, Jr., Reg. No. 29,855 and Salvatore J. Abbruzzese, Reg. No. 30,152, each of them of HOFFMANN & BARON, 1055 Parsippany Boulevard, Parsippany, New Jersey 07054.

(check the following item, if applicable)

[ ] Attached as part of this declaration and power of attorney is the authorization of the above-named attorney(s) to accept and follow instructions from my representative(s).

SEND CORRESPONDENCE TO:

DIRECT TELEPHONE CALLS TO:  
(Name and telephone number)

HOFFMANN & BARON  
350 Jericho Turnpike  
Jericho, NY 11753

Salvatore J. Abbruzzese  
(201) 331-1700  
~~(516) 822-3550~~

DECLARATION

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

SIGNATURE(S)

Full name of sole or first inventor James J. Rudnick

Inventor's signature *James J. Rudnick*

Date Aug. 8, 1994 Country of Citizenship USA

Residence 74 Moore Avenue, Waldwick, NJ 07463

Post Office Address (same as above)

Full name of second joint inventor Dominik M. Wiktor

Inventor's signature *Dominik M. Wiktor*

Date Aug. 1, 1994 Country of Citizenship USA

Residence 4 Culin Drive, Cranford, NJ 07016

Post Office Address (same as above)

CHECK PROPER BOX 3) FOR ANY OF THE FOLLOWING ADDED PAGE(S)  
WHICH FORM A PART OF THIS DECLARATION

- Signature for third and subsequent joint inventors. Number of pages added \_\_\_\_\_.
- Signature by administrator(trix), executor(trix) or legal representative for deceased or incapacitated inventor. Number of pages added \_\_\_\_\_.
- Signature for inventor who refuses to sign or cannot be reached by person authorized under 37 C.F.R. §1.47. Number of pages added \_\_\_\_\_.

• • •

[ ] Added pages to combined declaration and power of attorney for divisional, continuation or continuation-in-part (CIP) application.  
Number of pages added \_\_\_\_.

\* \* \*

[ ] Authorization of attorney(s) to accept and follow instructions from representative.

• • •

If no further pages form a part of this Declaration  
then end this Declaration with this page and check the  
follow item.

[x] This declaration ends with this page.



and which is found

(a) [ ] U.S. patent application executed on even date herewith  
(b)  U.S. patent application executed on August 12, 1994  
(c) [ ] U.S. application serial no. 0 / \_\_\_\_\_ filed on \_\_\_\_\_  
(d) [ ] U.S. patent no. \_\_\_\_\_ issued \_\_\_\_\_  
[ ] A change of address to which correspondence is to be sent  
regarding patent maintenance fees is being sent separately.

(also check (e) if foreign application(s) is also being assigned)

(e)  and any legal equivalent thereof in a foreign country,  
including the right to claim priority

and, in and to, all Letters Patent to be obtained for said  
invention by the above application or any continuation, division,  
renewal, or substitute thereof, and as to Letters Patent any re-  
issue or re-examination thereof

ASSIGNOR hereby covenants that no assignment, sale,  
agreement or encumbrance has been or will be made or entered into  
which would conflict with this assignment;

ASSIGNOR further covenants that ASSIGNEE will, upon its  
request, be provided promptly with all pertinent facts and  
documents relating to said invention and said Letters Patent and  
legal equivalents as may be known and accessible to ASSIGNOR and  
will testify as to the same in any interference, litigation or  
proceeding related thereto and will promptly execute and deliver  
to ASSIGNEE or its legal representatives any and all papers,  
instruments or affidavits required to apply for, obtain,  
maintain, issue and enforce said application, said invention and  
said Letters Patent and said equivalents thereof which may be  
necessary or desirable to carry out the purposes thereof.

IN WITNESS WHEREOF, We have hereunto set hand and seal this

WARNING: Date of signing must be the same as the date of execution of  
the application if item (a)  
was checked above.

Date:  Aug. 8, 1994  
(Date of signing)

James J. Rudnick  
SIGNATURE OF ASSIGNOR James J. Rudnick

Date:  July 31 94

Dominik M. Wiktor  
Dominik M. Wiktor

If ASSIGNOR is a legal entity complete the following information

Type or print the name of the above person  
authorized to sign on behalf of ASSIGNOR

\_\_\_\_\_  
Title

NOTE: No witnessing, notarization or legalization is necessary. If the  
assignment is notarized or legalized then it will only be prima facie  
evidence of execution 35 USC 261. Use next page if notarization is  
desired.

[  ] Notarization or Legalization Page Added.

REEL 116 FRAME 41

STATE OF *New Jersey* Y  
COUNTY OF *BERGEN* SS

On this 8th day of *AUGUST*, 1994, before me personally appeared *JAMES J. RUONICK* to me personally known and known to me to be the person who signed the foregoing Assignment and acknowledged the signing of same as his/her free act and deed.

*Barbara Jevillece*  
Notary Public

*My Commission Expires July 23, 1996*

ca STATE OF NEW JERSEY SS  
COUNTY OF UNION

On this 1ST day of *AUGUST*, 1994, before me personally appeared *DOMINIK M WIKTOR* to me personally known and known to me to be the person who signed the foregoing Assignment and acknowledged the signing of same as his/her free act and deed.

*Diana L. Wiktor*  
Notary Public  
DIANA L. WIKTOR  
NOTARY PUBLIC OF NEW JERSEY  
My Commission Expires Jan 25, 1998

100-3001-123  
1:23

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RECORDED  
PATENT AND TRADEMARK  
OFFICE

REEL 7116 FRAME 542



498-67  
**UNITED STATES DEPARTMENT OF COMMERCE**

**Patent and Trademark Office**

ASSISTANT SECRETARY AND COMMISSIONER  
OF PATENTS AND TRADEMARKS  
Washington, D.C. 20231

DATE: 09/21/94

TO:

N08C

SALVATORE J. ABBRUZZESE, ESQ.  
HOFFMANN & BARON  
350 JERICHO TURNPIKE  
JERICHO, NY 11753

**RECEIVED**  
OCT 1 1994

**HOFFMANN & BARON**

**UNITED STATES PATENT AND TRADEMARK OFFICE**  
**NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT**

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT BRANCH OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE U.S. PATENT AND TRADEMARK OFFICE ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT ASSIGNMENT PROCESSING SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT BRANCH, NORTH TOWER BUILDING, SUITE 10C35, WASHINGTON, D.C. 20231

ASSIGNOR: RUDNICK, JAMES J. DOC DATE: 07/31/94

ASSIGNOR: WIKTOR, DOMINIK M. DOC DATE: 08/08/94

RECORDATION DATE: 08/12/94 NUMBER OF PAGES 004 REEL/FRAME 7116/0539

DIGEST : ASSIGNMENT OF ASSIGNORS INTEREST

ASSIGNEE:  
MEADOX MEDICALS, INC.  
112 BAUER DRIVE  
OAKLAND, NJ 07436

SERIAL NUMBER 8-289791 FILING DATE 08/12/94  
PATENT NUMBER ISSUE DATE 00/00/00

*L. Stevenson*  
EXAMINER/PARALEGAL  
ASSIGNMENT BRANCH  
ASSIGNMENT/CERTIFICATION SERVICES DIVISION